

Pay & Conditions Policy

Approved by Directors:

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Review date:

March 2026

DIRECTOR LEAD

Ben Cox

INTRODUCTION

This policy sets out the framework for making decisions relating to the pay of staff employed directly by eCAPH. Currently, this only applies to the position(s) of Chair of eCAPH.

In adopting this pay policy the aim is to:

- maximise the quality of support to eCAPH members via the role of Chair.
- support the recruitment and retention of a high-quality Chair(s) as and when required.
- enable eCAPH to recognise and reward employed staff appropriately for their contribution to the organisation.
- help to ensure that decisions on pay are managed in a fair, just and transparent way whilst eliminating unnecessary bureaucracy for all concerned.

Pay decisions for eCAPH are made through the Directors and considered at least annually through structured meetings.

NOTE: The current arrangement for securing the services of the eCAPH Business Manager are through an agreed SLA and therefore staff undertaking this role are not directly employed by eCAPH. Therefore, any issues pertaining to the financial management of staff in this role will be dealt with separately via the agreed SLA.

PAY REVIEWS

The Directors will ensure that the salary of the Chair's role is reviewed annually, with effect from 1st September and no later than 31st October each year, and that employed staff are given a written statement setting out their salary and any other financial benefits to which they are entitled.

Reviews may take place at other times of the year to reflect any changes in circumstances or a change to the job description that leads to a change in the basis for calculating an individual's pay. A written statement will be given after any review and where applicable will give information about the basis on which it was made.

PAY PROGRESSIONS

Employed staff can expect to receive regular, constructive feedback on their performance and development and are subject to annual appraisal that recognises their strengths, informs plans for their future development, and helps to enhance their professional practice. The arrangements for staff appraisal are set out in eCAPH's appraisal policy.

Following an individual's annual appraisal and, subject to the published pay policy, any staff employed by eCAPH should expect to receive written feedback via Directors, to determine any potential changes to their annual rate of pay. There are no allowances or temporary uplifts which currently apply to the employment of staff by eCAPH.

APPEALS – MANAGING APPEALS AGAINST PAY DETERMINATION

Employed staff have the right to raise formal appeals against pay determinations if, for example, they believe that the persons by whom the decision was made:

- incorrectly applied the this pay policy.
- failed to take proper account of relevant evidence.
- took account of irrelevant or inaccurate evidence.
- was biased.
- unlawfully discriminated against the member of staff.

This appeals procedure also applies where, under the Appraisal Policy, an employed member wishes to appeal against any of the entries in their planning and review statements. Where a reviewee wishes to appeal on the basis of more than one entry this would constitute one appeal hearing

OVERPAYMENTS

eCAPH is entitled to make deductions from an employee's salary for any sums (properly) owed to eCAPH pursuant to section 14 of the Employment Rights Act 1996 (as amended).

Deductions will be made at a rate **equivalent to the time period of the overpayment, e.g., if the overpayment covered two months, then the recovery period should be two months, unless the employee agrees to a quicker rate of recovery.**

Where an employee is repaying an overpayment but leaves eCAPH before the full overpayment is recovered, the balance will be deducted from the final salary payment. Where the amount outstanding exceeds the final salary payment, an invoice for the outstanding amount will be raised and sent to the employee.

MONITORING THE IMPACT OF THE POLICY

eCAPH Directors will monitor the outcomes and impact of this policy on a regular basis **annually** including trends in progression across specific groups of teachers to assess its effect and the school's continued compliance with equalities legislation.

EQUALITY

eCAPH will ensure that, when implementing this Pay Policy, no employee will be disadvantaged on the basis of their gender or transgender, marital status or civil partnership, racial group, religion or belief, sexual orientation, age, disability, pregnancy or maternity, social or economic status or caring responsibility. This means that the policy may need to be adjusted to cater for the specific needs of an individual including the provision of information in alternative formats where necessary.

APPENDIX A – MANAGING APPEALS AGAINST PAY DETERMINATION

Staff employed by eCAPH have the right to raise formal appeals against pay determinations if, for example, they believe that the person or committee by whom the decision was made:

- (a) incorrectly applied the school's pay policy.
- (c) failed to have proper regard to statutory guidance.
- (d) failed to take proper account of relevant evidence.
- (e) took account of irrelevant or inaccurate evidence.
- (f) was biased.
- (g) unlawfully discriminated against them.

The above list is not exhaustive.

What follows is intended as a guide as there is no statutory process for schools to follow in terms of hearing pay appeals. A key aspect of the process is the opportunity for an employee to discuss a pay recommendation prior to it being confirmed by the Directors. This stage in the process will help to ensure that pay decisions and pay policies are seen as transparent and fair. The opportunity to discuss a pay decision before it is made may also mitigate the need for the more formal stages two and three.

Stage one – informal discussion with the appraiser prior to confirmation of pay recommendation

An employed person who is dissatisfied with a pay recommendation has the opportunity to discuss the recommendation with the appraiser or Directors before the recommendation is actioned and confirmation of the pay decision is made by eCAPH.

Stage two – a formal representation to Directors making the pay determination

If, having had an informal discussion with the person making the pay recommendation, the employed person believes that an incorrect recommendation has been made, he/she may make representation to the person (or governors' committee) making the decision. To begin the process the employee should submit a formal written statement to the person (or Directors) making the determination, setting down in writing the grounds of their disagreement with the pay recommendation.

A meeting to hear the formal representation will be set up wherever possible within 10 working days.

The employed person is given the opportunity to make representations, including presenting evidence, calling witnesses, and the opportunity to ask questions at a formal meeting with the person (or Directors) who will make the pay determination. Following this meeting the person (or Directors) will make a pay determination that will be communicated to the employee in writing.

Stage three – a formal appeal hearing with an appeals panel of Directors

Should the employed person not agree with the pay determination, they may appeal the decision and have an appeal hearing before an appeals panel of Directors. In the hearing before the Directors, both the employee and the management representative will have the opportunity to present their evidence and call witnesses; the parties will also be able to question each other. The panel is permitted to ask exploratory questions.

Having heard the appeal, the panel must reach a decision, which it must relay to the employee in writing, including their rationale for reaching the decision. The appeal panel's decision is final and, as set out in Section 3 of the STPCD, there is no recourse to the general staff grievance procedure.

Appeal hearing panels

It is recommended that the panel which hears pay appeals should comprise three Directors who were not involved in previous discussions regarding the employee's pay determination. Directors on appeals panels should be familiar with eCAPH's pay and appraisal policies. To ensure that appeals are properly considered,

Employed staff making representation at stage two and making an appeal at stage three may be accompanied by a colleague or representative from a professional organisation or trade union.

Pay appeals should be formally clerked and a note of proceedings should be produced.

Appeal panel hearing procedure

A suggested procedure for the conduct of formal hearings:

Introductions

- Chair introduces everyone and explains what their role is, then outlines the order of the hearing.
- Clerk takes notes of the hearing.

The employee case

- Employee or their representative presents employee case providing any evidence to support their case, including from witnesses (if any).
- Management representative has the opportunity to question the employee.
- Chair asks questions and subsequently opens the discussion to the panel.

The management case

- Management representative presents management case, providing any evidence to support their case, including any witnesses.
- Employee or their representative has the opportunity to question the management representative.
- Chair asks questions and subsequently opens the discussion to the panel.

Summarising and end of hearing

- Employee or their representative sums up the employee case.
- Management representative sums up the management case.
- If appropriate, the Chair can sum up the key points on both sides. Chair will then end the hearing, advising the employee that they will receive the panel's decision in writing within a given timescale.

Decision-making

- Panel meet to reach their decision.
- Clerk notes main points of panel discussion and their decision.
- Panel obtains HR advice, if required, to inform their decision-making.

Communication of decision

- Employee is notified of decision. Decision and reason for the decision confirmed in writing